

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
RICHMOND DIVISION**

LIMELIGHT NETWORKS, INC.,

Plaintiff and Counterclaim
Defendant,

v.

XO COMMUNICATIONS, LLC.,

Defendant,

AKAMAI TECHNOLOGIES, INC.,

Defendant and Counterclaim
Plaintiff,

MASSACHUSETTS INSTITUTE OF
TECHNOLOGY,

Counterclaim Plaintiff.

Case No. 3:15cv720-JAG

JURY TRIAL DEMANDED

ORDER GRANTING STIPULATED AGREED MOTIONS *IN LIMINE*

Having reviewed the Joint Stipulation Regarding Agreed Motions *In Limine* filed by Limelight Networks, Inc., Akamai Technologies, Inc., XO Communications, LLC, and Massachusetts Institute of Technology (collectively, “the Parties”), to exclude the introduction of certain evidence and to preclude reference to and remarks on certain topics, the Court, finding good cause to do so, hereby GRANTS the Parties’ Joint Stipulation Regarding Agreed Motions *In Limine* and ORDERS the exclusion of the following categories of remarks and evidence from the trial:

1. Exclusion of remarks and/or evidence tending to criticize or disparage the PTO (other than statements contained in the Federal Judicial Center video);
2. Exclusion of evidence and/or reference to patents and claims no longer asserted;

3. Exclusion of all references to *inter partes* review (IPR) petitions, proceedings, or decisions regarding the Parties' respective asserted patents;
4. Exclusion of evidence of, argument regarding, and/or questions to Akamai and Limelight employees about their compensation, stock options, or net worth;
5. Exclusion of evidence and argument that an asserted patent is not infringed because the accused party obtained a patent after the asserted patent issued. This does not preclude either party from introducing patents for other purposes; and
6. Exclusion of reference to discovery disputes or discovery orders.

IT IS SO ORDERED

Dated: December 8, 2016

FOR THE COURT:

By: _____

/s/
John A. Gibney, Jr.
United States District Judge
Hon. John A. Gibney, Jr.
UNITED STATES DISTRICT COURT JUDGE